

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of

Amendment of Section 73.622(i),  
Final DTV Table of Allotments,  
Television Broadcast Stations.  
(St. Petersburg, Florida)

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MB Docket No. 09-159  
RM-11557

**REPORT AND ORDER  
(Proceeding Terminated)**

**Adopted: October 1, 2009**

**Released: October 7, 2009**

By the Chief, Video Division, Media Bureau:

1. The Commission has before it a Notice of Proposed Rulemaking<sup>1</sup> issued in response to a petition for rulemaking filed by Bay Television, Inc. ("Bay Television"), the licensee of station WTTA(TV), channel 38, St. Petersburg, Florida. Bay Television requests the substitution of channel 32 for its assigned channel 38 at St. Petersburg. Bay Television filed comments reaffirming its interest in the proposed channel substitution. No other comments were received.

2. We believe the public interest would be served by substituting channel 32 for channel 38 at St. Petersburg. Bay Television explains that this channel substitution is necessary because WTTA(TV) "is unable to replicate its analog service area [on channel 38] due to severe adjacent channel interference."<sup>2</sup> Furthermore, Bay Television believes that "channel 32 ... will permit WTTA to dramatically improve service."<sup>3</sup>

3. Channel 32 can be substituted for channel 38 at St. Petersburg, Florida, as proposed, in compliance with the principal community coverage requirements of Section 73.625(a) of the Commission's rules,<sup>4</sup> at coordinates 27-50-32 N. and 82-15-46 W. In addition, we find that this channel change meets the technical requirements set forth in Sections 73.616 and 73.623 of the Commission's rules<sup>5</sup> with the following specifications:

City and State	Channel	Power (kW)	Antenna (meters)	Service Pop. (thous.)
St. Petersburg, Louisiana	32	1000	438	4,300

4. We also conclude that good cause exists to make this channel change effective immediately upon publication in the Federal Register, pursuant to Section 553(d)(3) of the Administrative Procedures

<sup>1</sup> *St. Petersburg, Florida*, DA 09-1969 (released August 31, 2009).

<sup>2</sup> *Bay Television Petition for Rulemaking* at 1.

<sup>3</sup> *Id.*

<sup>4</sup> 47 C.F.R. § 73.625(a).

<sup>5</sup> 47 C.F.R. §§ 73.616 and 73.623.

Act.<sup>6</sup> An expedited effective date is necessary in this case to ensure that station WTTA(TV) can restore service to former viewers as quickly as possible.

5. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective immediately upon publication of this Report and Order in the Federal Register, the DTV Table of Allotments, Section 73.622(i) of the Commission's rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City and State</u>	<u>Channel No.</u>
St. Petersburg, Florida	10, 32, 44

6. IT IS FURTHER ORDERED, That within 30 days of the effective date of this Order, Bay Television, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying channel 32 in lieu of channel 38 at St. Petersburg, Florida.

7. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. § 801(a)(1)(A).

8. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

9. For further information concerning the proceeding listed above, contact Adrienne Y. Denysyk, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

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<sup>6</sup> 5 U.S.C. § 553(d)(3).